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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,023	11/18/2003	Sanjeev Nath	NATL-103(US)	5567
47670	7590	10/28/2005	EXAMINER	
KELLEY DRYE & WARREN LLP TWO STAMFORD PLAZA 281 TRESSER BOULEVARD STAMFORD, CT 06901			LEE, BENJAMIN C	
			ART UNIT	PAPER NUMBER
			2632	

DATE MAILED: 10/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/716,023

Applicant(s)

NATH ET AL.

Examiner

Benjamin C. Lee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 03 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 2,4-14 and 16-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2,4-14 and 16-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***Response to Amendment***

***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 6 and 9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

1) Amended claim 6 currently depends on cancelled claim 1. The following prior art consideration will treat claim 6 as being dependent on claim 17 as a best guess.

2) Amended dependent claim 9 currently depends on no claim. The following prior art consideration will treat claim 9 as being dependent on claim 17 as a best guess.

***Claim Rejections - 35 USC § 103***

3. Claims 2, 4-8, 10 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katz (US 2002/0109610A1) in view of Bahar (US 2003/0132840A1).

- 1) Regarding claim 17:

a) Katz discloses a system for an automatic enforcement of parking regulations without human intervention, comprising: an intelligent wireless device (30 and 65 of Figs. 1b, 1c) operatively configured and programmed to monitor a vehicle (11) within a defined space (12), to receive signals from a vehicle control system (10), mounted in said vehicle (Figs. 1b, 1c), which is operatively configured to generate a signal containing information associated with said vehicle (“vehicle-based portable transceiver” of [0013]-[0015], vehicle-integrated portable transceiver 10 of [0041] and Figs. 1b, 1c), said device (30) being capable of determining violations of a legal

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requirement (parking violations of [0015], [0018]) regarding said vehicle, and being capable of automatically issuing a *notification* to said vehicle control system, without human intervention ([0018] disclosing that the vehicle-integrated portable transceiver 10 is configured to receive the violation signal and to actuate audio and/or visual indicators of the violation condition so that the portable transceiver of the vehicle controls the indicator functions as well as the authorization signal generation signals from the vehicle constituting the claimed “vehicle control system”, [0050] disclosing that information can be stored at the portable transceiver 10 memory, in which “meter monitor” as monitoring personnel is optional as evidenced by the use of “may” accompany its appearances in the disclosure so that the system without such monitor personnel is automated, at least in regard to operations pertaining to the claimed features not needing such monitor personnel); and furthermore that the vehicle control system (10) can include email ([0045]);

While:

b) Bahar teaches in the same art the automatic issuing of citation/summons via electronic e-mail ([0021]).

It would have been obvious to one of ordinary skill in the art at the time of the claimed invention to alternatively or additionally issuing an electronic summons to the vehicle control system (10) in Katz in the form of electronic e-mail as taught by Bahar so that the violator is informed of the violation and summons in a speedy and timely manner.

2) Regarding claim 2, Katz and Bahar render obvious all of the claimed subject matter as in claim 17, including: the claimed automobile (11 of Katz).

3) Regarding claim 4, Katz renders obvious all of the claimed subject matter as in claim 17, wherein:

It would have been obvious to one of ordinary skill in the art at the time of the claimed invention that the wireless signal generated by the vehicle control system (10 of Katz) in Katz and Bahar can be chosen from well-known and conventional forms including radio frequency, WLAN IEEE 802.11x & 802.16x standards, Blue tooth means, and infrared means without unexpected results.

4) Regarding claim 5, Katz and Bahar render obvious all of the claimed subject matter as in claim 17, including: the claimed wherein the intelligent wireless device comprises at least one surveillance camera ([0061]).

5) Regarding claim 6, Katz and Bahar render obvious all of the claimed subject matter as in claim 17, including: the claimed wherein the information defining said vehicle includes at least a vehicle identification number ([0043], [0064], [0065] and [0067] of Katz).

6) Regarding claim 7, Katz and Bahar render obvious all of the claimed subject matter as in claim 17, including: the claimed wherein the system further comprises means for the device to transmit a unique identifier to the vehicle control system (line 14 of [0064] of Katz).

7) Regarding claim 8, Katz and Bahar render obvious all of the claimed subject matter as in claim 17, including: the claimed wherein the device further comprises a means to transmit information to the vehicle control system so as to inform the operator of the vehicle that the vehicle is stationary/parked/idling in a metered zone (Figs. 1b-1c, lines 11-19 of [0064], lines 10-13 of [0018] of Katz).

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6) Regarding claim 10, Katz and Bahar render obvious all of the claimed subject matter as in claim 15, whereby:

It would have been obvious to one of ordinary skill in the art at the time of the claimed invention to use a plurality of said at least one surveillance cameras mounted facing in all four directions in Katz and Bahar in order to better survey the surrounding areas in the zone.

4. Claims 9, 11-12, 16 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katz in view of Bahar and Fulcher et al. (US pat. #6,505,774).

1) Regarding claim 9, Katz and Bahar render obvious all of the claimed subject matter as in claim 17, including: the claimed wherein the system further comprises in the intelligent wireless device a time-lapse recorder with sufficient amount of recording space ([0068] of Katz); but not the claimed shock/vibration/sound/impact sensor.

However, Fulcher et al. teaches the known use of a shock sensor on a violation detecting and ticketing meter system for a vehicle parking space in order to protect it against theft/vandals (col. 12, lines 15-18). In view of the teachings by Katz, Bahar and Fulcher et al., it would have been obvious to one of ordinary skill in the art at the time of the claimed invention to include a shock sensor as taught by Fulcher et al. on the intelligent wireless device of Katz and Bahar in order to protect it against theft/vandals.

2) Regarding claims 11-12, Katz and Bahar render obvious all of the claimed subject matter as in claim 17, plus the consideration of claim 9 in view of Fulcher et al. (shock and vibration are equivalent in this context).

3) Regarding claim 19, Katz and Bahar render obvious all of the claimed subject matter as in claim 17, wherein:

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--the claimed obviating or at least reducing utilization of human resources is met by the automation of violation detection and electronic summons delivery.

4) Regarding claim 16, Katz and Bahar render obvious all of the claimed subject matter as in claim 19, including:

--the claimed the parking meter (65 of Katz).

5. Claims 14 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katz in view of Bahar, and further in view of Brusseaux et al. (US Pat. No. 6,104,299) and Bomar, Jr. (US pat. #3,720,911).

1) Regarding claims 14, Katz and Bahar render obvious all of the claimed subject matter as in the consideration of claim 17, except:

--the claimed monitoring pollution produced by the identified idling vehicle to issue a summons to said vehicle control system.

Brusseaux et al. teaches a known monitoring of vehicle pollution from a meter device (10, 20) using sensors (13, 23) detecting emissions from a vehicle within a defined space defined by the detection zone. Bomar, Jr. further teaches the known issuance of a summons to a vehicle driver of detected emissions/pollution violation (col. 3, lines 19-29 and col. 10, lines 36-64).

In view of the teachings by Katz, Bahar, Brusseaux et al. and Bomar, Jr., it would have been obvious to one of ordinary skill in the art at the time of the claimed invention to include pollution/emissions detection as taught by Brusseaux et al. in the intelligent wireless device of Katz and Bahar, and further to issue the summons as taught by Bomar, Jr. when emissions violation has been determined, to the vehicle control system, so as to enforce emissions

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violations in addition to parking violations to thereby automate both functions into the system and enhancing the value of the system.

2) Regarding claim 21, Katz, Bahar, Brusseaux et al. and Bomar, Jr. render obvious all of the claimed subject matter as in claim 14, wherein:

--the claimed obviating or at least reducing utilization of human resources is met by the automation of violation detection and electronic summons delivery.

6. Claims 18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kovach (US 2005/0088320A1) in view of Katz and Bahar.

2) Regarding claims 18:

a) Kovah teaches a system comprising an intelligent wireless device operatively configured and programmed to monitor a plurality of vehicles within a defined space (defined by the monitoring range/zone), to receive signals from a vehicle control system mounted in the vehicles, which is operatively configured to generate a signal containing information associated with the vehicles, said device capable of automatically issuing a summons without human intervention of such a vehicle that has been monitored in a space defined as a speed controlled zone in violation of a legal requirement with respect to vehicles in said speed controlled zone ([0038]);

b) Katz and Bahar teaches the automatic issuing a summons to the vehicle control system (see consideration of claim 17).

In view of the teachings by Kovah, Katz and Bahar, it would have been obvious to one of ordinary skill in the art at the time of the claimed invention to include the automatic summons



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issuing feature of Katz and Bahar in Kovah to provide a convenient and automated way of delivering the summons to the violator.

2) Regarding claim 20, Kovah, Katz and Bahar render obvious all of the claimed subject matter as in claim 18, wherein:

--the claimed obviating or at least reducing utilization of human resources is met by the automation of violation detection and electronic summons delivery.

7. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kovach in view of Katz, Bahar and Lee (US pat. # 6,710,722).

1) Regarding claim 13, Kovah, Katz and Bahar render obvious all of the claimed subject matter as in claim 18, while:

Lee teaches the known monitoring of the volume and flow of traffic in a speed zone to help co-ordinate traffic light sequencing for facilitating optimum traffic movement without requiring human intervention (Abstract and Fig. 1).

It would have been obvious to one of ordinary skill in the art at the time of the claimed invention to combine the wireless device that automatically monitors vehicle speed in Kovach, Katz and Bahar in a system such as taught by Lee to co-ordinate traffic light sequencing by monitoring the volume and flow of traffic, so as to provide the advantages of the combined features in a single system.

### ***Response to Arguments***

8. Applicant's arguments with respect to claims 2, 4-14 and 16-21 have been considered but are moot in view of the new ground(s) of rejection.

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Applicant's arguments filed 8/3/05 are directed to the amended claims, which are rejected under new grounds to better address the concerned issues. Please refer to the above rejection for detail.

***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1) US 5895450

--Another known delivery of violation citation via e-mail (col. 16, lines 55-60).

2) US 2003/0055701

--A known access of electronic summons/citations on-line ([0035]).

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

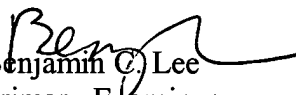
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11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin C. Lee whose telephone number is (571) 272-2963.

The examiner can normally be reached on Mon -Fri 11:00Am-7:30Pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Benjamin C. Lee  
Primary Examiner  
Art Unit 2632

B.L.